

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police – Kurnool and Ananatapur Ranges – Representation of Sri P. Nagaraja Reddy, DSP (Civil) requesting for fixation of inter-se seniority in the cadre of S.Is along with 1989 batch S.Is (Civil) of Kurnool Range –Allowed - Orders – Issued.

HOME (SER.II) DEPARTMENT

G.O.Ms.No. 277

Date: 11.12.2013
Read the following:

1. G.O.Ms.No.56, Home (Ser-II) Dept., dated: 28.02.2002
2. Representation of Sri P. Nagaraja Reddy, DSP (Civil), Prohibition and Excise Dept, Hyderabad dtd.6-7-2011
3. Govt.Memo.No.19557/Ser.II/A1/2011, dtd.19-7-2011
4. From the DGP, A.P., Hyderabad., Rc.No.729/E1/2011, dated: 26-12-2011.
5. From the DGP, A.P., Hyderabad., Rc.No.729/E1/2011, dated: 05.03.2012.
6. Govt.Memo.No.19557/Ser.II/A1/2011, dated: 04-09-2013.
7. From the DGP, A.P., Hyderabad., Rc.No.729/E1/2011, dated: 25.11.2013.

Order:

In the representation 2nd read above, Sri P. Nagaraja Reddy, DSP (Civil), has requested the Government to fix his seniority above Sri B. Mallikarjuna, DSP (Civil) basing on the marks secured in PTC examination.

2. In the letters 4th and 5th read above, the Director General of Police, Andhra Pradesh, Hyderabad, has informed that Sri P. Nagaraja Reddy was appointed as RSI on 16.01.1989 basing on the notification issued in the year 1987 for the recruitment of SIs and RSIs. Later he was converted as SI (Civil) vide G.O.Ms.No.661, Home (Pol.C) Dept., dated: 4.11.1991 along with 11 others by relaxing special rules and the said G.O. was amended vide G.O.Rt.No.176, Home (Pol.C) Dept., dated: 21.01.1993. Since the applicant's case was considered by Government as conversion in above mentioned G.Os., the seniority was placed below 1989 batch SIs (Civil). Further, Government have issued orders to appoint Sri B. Mallikarjuna who was recruited as RSI, as SI (Civil) vide G.O.Rt.No.1513, Home (Pol.C) Dept., dated: 15.05.1992.

3. The DGP, AP, Hyd., in the letter 7th read above, has informed that the DIG, Kurnool Range, Kurnool has furnished the comparative statement and service particulars of both DSsP Sri B. Mallikarjuna and Sri P. Nagaraja Reddy, which are as follows:

Sl.No	Service Particulars	B. Mallikarjuna, DSP	P. Nagaraja Reddy, DSP
1.	Date of Birth	27.11.1961	01.07.1963
2.	Native District	Kurnool District	Chittoor District
3.	Caste / Group	BC-A (Valmiki)	OC (kapu)
4.	Educational Qualification	M. Com	M.Com, M.Phil.,
5.	Date of Appointment as RSI	01.05.1989	16.01.1989
6.	Date of Conversion as SI (Civil)	06.07.1992	04.11.1991
7.	Date of Promotion as CI	24.04.2002	09.03.2002
8.	Date of Promotion as DSP	10.06.2011	29.06.2011

(P.T.O)

4. Further, the DGP, AP, Hyd., has informed that the DIG, Kurnool Range, Kurnool has stated that as per G.O.Ms.No.56, Home (Pol.C) Dept., dated: 28.02.2002, Sri B. Mallikarjuna appeared for direct recruitment to the post of SI (Civil) during the year 1989 and got 117.67 marks in the written examination and got appointment as RSI. He belongs to BC-A group. Sri S.R. Rajasekhar Raju with whom he compared also belongs to same community i.e. BC-A group and equal marks of 117.67 in written examination of the recruitment and younger in age has been selected to the post of SIs (Civil). Subsequently, in G.O.Rt.No.1530, Home (Pol.C) Dept., dated: 12.05.1992 orders were issued based on the judgement of APAT., dated: 26.08.1991 in O.A.No.43279/1990 interalia, to appoint candidates as SI of Police (Civil) who secured equal marks and are older in age to the candidates already selected in respective groups. Accordingly Sri B. Mallikarjuna who is older in age and not considered earlier for appointment to the post of SI (Civil) though he got equal marks along with Sri S.R. Rajasekhar Raju, has been appointed as SI (Civil) with effect from 06.07.1992 and placed in the bottom of the seniority list of 1989 batch SIs (Civil) and included in the 'C' List accordingly vide G.O.Ms.No.51, Home (Pol.C) Dept., dated: 01.04.2001.

5. He has further informed that the Government having observed Sri B. Mallikarjuna is older in age to Sri S.R. Rajasekhar Raju was not appointed as SI (Civil) earlier though he got equal marks of 117.67 was appointed as SI (Civil) and not sent for training in-time due to the administration fault have issued orders in the G.O. 1st read above, directing to place the name of Sri B. Mallikarjuna SI of Police be included in the seniority list of 1989 batch of SIs of Kurnool Range and in the 'C' List of SIs fit to act as Inspectors of Kurnool Range for the year 1998 above Sri S.R. Rajasekhar Raju in relaxation of relevant special rules in the matter.

6. The DGP, AP, Hyd., while explaining the above position and keeping in view of the G.O.Ms.No.56, Home (Pol.C) Dept., dated: 28.02.2002, has stated that the case of Sri P. Nagaraja Reddy, DSP, may not be compared with the case of Sri B. Mallikarjuna in fixing up seniority and the contention of the applicant that his case is to be considered on par with Sri B. Mallikarjuna is not correct, as there is no similarity in the conversion process and his request deserves no consideration.

7. Government, after careful examination of the matter, have observed that Sri P. Nagaraja Reddy and 11 others were transferred as SIs (Civil) vide G.O.Ms.No.661, Home (Pol.C) Dept., dated: 04.11.1991 and not converted from RSIs to SIs Civil under 5% quota reserved for them as said by the DGP.

8. It is also observed that the seniority has to be fixed based on the marks obtained by them in PTC, whereas in the G.O. 1st read above, notional seniority was assigned to Sri B. Mallikarjuna based on written exam marks i.e. 117.67 which ought to have been taken as criteria for initial selection and without considering the marks obtained in PTC, resulting the loss of seniority to Sri P. Nagaraja Reddy.

9. Further, as per the records made available, it is observed that Sri P. Nagaraja Reddy is senior to Sri B. Mallikarjuna, in all aspects, i.e., date of joining into service and marks secured in PTC exam, in the cadre of RSI and SI (Civil) and as per the existing rules, junior cannot overtake a senior and the seniority of the applicant ought to be protected.

10. Accordingly, Government have considered the request of the said individual, and hereby direct that the seniority of Sri P. Nagaraja Reddy, DSP, be fixed as per the marks obtained in PTC, Anantapur and his name be placed above Sri B. Mallikarjuna, in the cadre of SI (Civil).

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11. The Director General of Police, Andhra Pradesh, Hyderabad, is requested to take further necessary action duly following the procedure under Rule 24 of the A.P. State and Subordinate Service Rules, 1996.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.P. DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, Andhra Pradesh, Hyderabad.
The Individual through the DGP, Andhra Pradesh, Hyderabad.
SC/SF

//Forwarded ::By order//

Section Officer